

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday February 7, 2011
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Council President Hendricks at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Roush, Taylor, Wisneski, Langdon, Hendricks, Zelinski, Englebert

EXCUSED: Alderman Benner

ALSO PRESENT: CA/HRD Captain, PC Stanke, DFC DeLeeuw, DPW Radtke, C/T Stoffel, PHD Nett, PRD Tungate, Clerk Galeazzi and the Press

DEPT. HEADS EXCUSED: Mayor Merkes, CDD Keil,

D. PUBLIC HEARING

None

E. RESOLUTIONS

1. [R-2-11 Saluting the Menasha High School Bluejay Brigade Marching Band](#)

Moved by Ald. Roush, seconded by Ald. Wisneski to adopt R-22-11.

Moved by Ald. Taylor, seconded by Ald. Englebert to amend R-22-11 to include the Common Council as concurring on congratulating and saluting the Bluejay Brigade.

Motion on amendment carried on voice vote

Motion to adopt R-22-11 as amended carried on voice vote.

Council President Hendricks read the resolution and presented it to Drum Majors Rachel Losselyong, David Pietila and Ivy Williams.

F. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

(five (5) minute time limit for each person)

Steve Krueger, 943 Clovis Street. Not in favor of allowing chickens in the City. Allowing only property owners to have chickens will be violating equal protection laws.

Stan Sevenich, 645 9th Street. Request information on expenditures for outside legal services for Steam Plant issues.

Larry Schmitz, Common Sense Solutions. Provided information on the proposed contract with Common Sense Solutions for IT support.

G. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [Mayor Merkes – 2011 Urban Forestry Grant Recipients](#)

PRD Tungate explained grant funds will be used for removal of dead and infectious trees, and planting of new trees.

2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

a. [Administration Committee, 1/17/11](#)

b. [Board of Public Works, 1/17/11](#)

c. [Board of Health, 12/8/10](#)

d. [City Hall Safety Committee, 12/10/10](#)

e. [Committee on Aging, 12/9/10](#)

f. [Information Technology Steering Committee, 1/19/11](#)

g. [Landmarks Commission, 1/12/11](#)

h. [Library Board, 1/20/11](#)

- i. [NM Fire Rescue Fire Commission, 1/26/11](#)
 - j. [NM Fire Rescue Joint Finance & Personnel, 1/25/11](#)
 - k. [NM Sewerage Commission, 12/28/10](#)
 - l. [Plan Commission, 1/18/11](#)
 - m. [Police Department Safety Committee, 11/18/10](#)
 - n. [Public Works/Parks Dept. Safety Committee, 12/21/10](#)
 - o. [Sustainability Board, 1/18/11](#)
 - p. [Water & Light Commission, 1/26/11](#)
- Communications:
- q. [P. Konetzke to Common Council, 1/18/11; Fowl Ordinance](#)
 - r. [Menasha Utilities, Customers First! *The Wire* newsletter, February 2011](#)
 - s. [Kristi Heim to Common Council 1/31/11; Building Permit Summary](#)

Moved by Ald. Wisneski, seconded by Ald. Langdon to receive and place on file minutes and communications A-S.

Discussion: Ald. Taylor-Library Board Minutes, an aldermen representative should be on Ad-Hoc Committee for the search for a new Library Director.

Ald. Wisneski-Public Works/Parks Safety Committee Minutes list CA/HRD Captain present and absent. Ald. Roush-Sustainability Board Minutes concerns regarding the design of chicken coup for the keeping of fowl ordinance. Thanked the Aldermen that attended showing of Mad City Chickens film.

Motion carried on voice vote.

H. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. [Common Council, 1/17/11](#)

Administration Committee, 1/17/11; recommends approval of:

2. [Public Health Emergency Preparedness \(PHEP\) Contract Agreement Amendment #1 between Wisconsin Division of Public Health, Department of Health Services and City of Menasha Health Department for additional funds, 1/1/11 – 8/9/11, and authorize signature](#)

Information Technology Steering Committee, 1/19/11; recommends approval of:

3. [Contract with Common Sense Solutions](#)

N-M Fire Rescue Joint Finance & Personnel, 1/25/11; recommends:

4. [Giving NMFR permission to proceed with the fundraising efforts for a NMFR Dive Team contingent upon finalizing a formal agreement with Winnebago County recognizing the jurisdictional authority of Winnebago County and ongoing operational and maintenance costs.](#)

Parks and Recreation Board, 1/10/11; recommends approval of:

5. [Agreement for pool fee reciprocity between the Menasha Parks and Recreation Department and the YMCA of the Fox Cities for 2011](#)

Plan Commission, 1/18/11; recommends approval of:

6. [Lakeshore Manor Extra-territorial Plat \(Town of Menasha\)](#)

Ald. Roush requested items 3 and 5 be removed from the Consent Agenda.

Moved by Ald. Wisneski, seconded by Ald. Langdon to approve items 1, 2, 4, 6
Motion carried on roll call 7-0.

I. ITEMS REMOVED FROM CONSENT AGENDA

1. Moved by Ald. Taylor, seconded by Ald. Wisneski to approve item 3 (Common Sense Solutions Contract).
Discussion ensued on what type of services will be provided; what budgeted funds will be used to pay for services; no maximum or minimum amount stated in contract only hourly rate.
Motion carried on roll call 7-0.
2. Moved by Ald. Roush, seconded by Ald. Langdon to approve item 5 (YMCA Agreement)
Discussion: PRD Tungate explained the YMCA will be handling the marketing of the pool
In return YMCA members will be given resident rates on season and limited passes.
Motion carried on roll call 7-0.

J. ACTION ITEMS

1. [Accounts payable and payroll for the term of 1/20/11 to 2/3/11 in the amount of \\$1,472,579.33.](#)
Moved by Ald. Wisneski, seconded by Ald. Langdon to approved accounts payable and payroll except Check #28347.
Discussion/Questions/Answers on expenditures.
Motion carried on roll call 7-0.
Moved by Ald. Wisneski, seconded by Ald. Englebert to approve check #28347.
Motion carried on roll call 6-0 with Ald. Taylor abstaining.

K. ORDINANCES AND RESOLUTIONS

1. [O-2-11 An Ordinance Relating to Adoption of State Fire Prevention Codes](#) (1st appearance)
(Recommendation of NMFR Joint Finance & Personnel) (Introduced by Ald. Wisneski & Zelinski)
No Action
2. [R-4-11 - Resolution Relating to Reduction of Poll Workers](#)
(Recommendation of Administration Committee) (Introduced by Mayor Merkes)
Moved by Ald. Wisneski, seconded by Ald. Roush to adopt R-4-11.
Motion carried on roll call 7-0.

L. APPOINTMENTS

1. Mayor's appointment to the Committee on Aging
 - a. [Peg Malueg, 163 Marina Place, Menasha for the term Feb. 1, 2011 to Feb. 1, 2014](#)
 - b. [John Ruck, 1108 Stardust Drive, Menasha for the term Feb. 1, 2011 to Feb. 1, 2014](#)

Moved by Ald. Wisneski, seconded by Ald. Englebert to approve appointments of Peg Malueg and John Ruck
Motion carried voice vote.

M. HELD OVER BUSINESS

1. Plan Commission, 1/11/11 recommends approval of an alternative ordinance be drafted requiring the paving of driveways and driveway aprons for new one and two family residential dwellings in the R-1, R-1A, R2 and R2A Districts, and for the paving of driveways, driveway aprons and parking lots in the R-3, R-4, C-1, C-2, C-3, C-4, I-1, I-2 and GU Districts, except for existing one and two family residential dwellings. (Held 1/17/11)

Moved by Ald. Zelinski, seconded by Ald. Taylor to approve Plan Commission recommendation.
Motion carried on roll call 6-1. Ald. Wisneski-no.

N. CLAIMS AGAINST THE CITY

None

O. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)

No one spoke

P. RECESS TO ADMINISTRATION COMMITTEE & BOARD OF PUBLIC WORKS

Moved by Ald. Wisneski, seconded by Ald. Roush to recess at 7:10 p.m.

Motion carried on voice vote.

Reconvened at 7:50 p.m.

Q. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Langdon to adjourn at 7:50 p.m. into Closed Session pursuant to sec. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (LaFayette Life Insurance Co. v. City of Menasha et al., U.S. District Court (Northern District, IN.) Case No. 4:09-CV-64-TLS; and State ex rel. American Bank v. City of Menasha et al. Case No. 10CV77 Br. 4)

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk